

## REMARKS

Claims 1-23 are pending in the application. Applicant hereby requests further examination and reconsideration of the application in view of the following remarks.

### *Claim Rejections – 35 USC § 102*

The Patent Office rejected claims 1-23 under 35 U.S.C. § 102(e) as being anticipated by Gasparik. (U.S. Patent No. 6,483,354). Applicant respectfully traverses the rejections of the claims.

35 U.S.C. § 102(e) provides that

A person shall be entitled to a patent unless . . . the invention was described in . . . a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent.

35 U.S.C. § 102(e) (emphasis added). The present application and the cited reference both name the same inventive entity, Frank Gasparik. Consequently, as provided by MPEP § 2136.04, Gasparik (U.S. Patent No. 6,483,354), is not prior art to the present application under 35 U.S.C. § 102(e).

Accordingly, it is respectfully submitted that *prima facie* anticipation of claims 1-23 has not been established under 35 U.S.C. § 102(e) in accordance with MPEP § 2136.04. Withdrawal of the rejections of claims 1-23 is therefore respectfully requested.

### *Art Made of Record Not Relied On*

Applicants will not burden the record with a discussion of art not specifically applied to the claims.

## CONCLUSION

The application is respectfully submitted to be in condition for allowance of all claims. Accordingly, notification to that effect is earnestly solicited.

Respectfully submitted,  
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